

## REMARKS

Claims 35-64 were presented and examined. Reconsideration is respectfully requested in view of the amendments and the remarks that follow.

### Claim Rejections Under 35 U.S.C. § 102(b)

Claims 35-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Garcia (U.S. Patent No. 5,510,832). Withdrawal of these rejections is respectfully requested because Garcia does not disclose each and every element of the claims, as amended.

The Application is directed to stereoscopic adaptation. According to the Background, in the prior art, no consideration was given to a usage environment. However, this invention adapts a video data signal in accordance with user and terminal preference information so that the adaptation is unique and customized to a user's particular circumstance. The claims have been amended in view of these aspects.

Independent claim 35, as amended, recites the following.

A stereoscopic adaptation method comprising  
the steps of:  
    receiving video data;  
    collecting user preference information from a  
    user;  
    stereoscopically adapting the video data  
    automatically from two-dimensional video to three-  
    dimensional video in a video data source according to  
    the user preference information included in a usage  
    environment information; and  
    outputting the adapted video data source.

Independent claim 45, as amended, recites analogous aspects in an apparatus.

Independent claim 55, as amended, recites:

A computer readable storage medium  
containing instructions stored therein, which when  
executed by a machine cause the machine to perform

operations comprising:  
receiving video data;  
collecting metadata from a multimedia source;  
stereoscopically adapting the video data  
automatically from two-dimensional video to three-  
dimensional video in a video data source according to  
the metadata, the metadata including usage  
environment information, the usage environment  
information including user preference information.

Applicants do not discern any part of Garcia cited by the Examiner as disclosing all the above elements, including “stereoscopically adapting the video signal automatically from two-dimensional video to three-dimensional video in a video data source according to the user preference information included in a usage environment information” and “stereoscopically adapting the video data automatically from two-dimensional video to three-dimensional video in a video data source according to the metadata [from a multimedia source], the metadata including usage environment information, the usage environment information including user preference information.” To anticipate a claim under 35 U.S.C. § 102(b), the cited reference must describe each and every element of the claim. In view of the claim amendments, Garcia does not describe each and every element of the claims for the following reasons.

Garcia discloses a system for synthesizing a realistic looking three-dimensional image from a two-dimensional video image, such as for use in a medical setting. The two-dimensional video image can be obtained from a single small camera, such as an endoscopic camera used in laparoscopic surgery. Garcia is silent with respect to any adaptation of the signal according to collected user preference information. In the section of column 7, lines 35-66 noted by the Examiner relating to the aspect of user preference information, these lines do not disclose stereoscopically adapting a video data two-dimensional video to three-dimensional video in an automatic manner. The only mention of a user is in reference to a switch and special viewing glasses.

A switch 21 on the converter unit 100 allows the user to bypass the 2D-3D conversion in order to view

scene as ordinary 2D video imagery. However, an observer 26 wearing glasses 300 is enabled to view the monitor 200 image as a simulated three-dimensional (3D) image seen along a viewing path 28 under control of a special liquid-crystal device controller 140 which controls shuttering of the left eye and right eye lenses of the glasses 300, and therefore the view of the observer, according to a signal 30 directed to the observer 26 and viewing glasses 300.

See Garcia, column 7, line 63-column 8, line 6. In other words, a user can physically press a switch on an apparatus to disable two dimensional to three dimensional conversion. The user utilizes **special viewing glasses** worn to view the screen. Accordingly, the video data is **not** adapted automatically according to user preference information. Rather, the user uses a different item, i.e., glasses, to adjust his or her own view of the data as it appears on the screen. In this situation, the two dimensional data of Garcia remains intact without any type of adjustment. As noted above, the invention as defined in the amended claims provides a user with the benefits of a more unique and customized experience specific to user preference information.

Therefore, Garcia fails to disclose all the limitations of the claims as amended, including a method, apparatus, or computer readable storage medium directed to an aspect of stereoscopically adapting the video data automatically from two-dimensional video to three-dimensional video in a video data source according to the user preference information included in a usage environment information.

The dependent claims depend from independent claims 35, 45, and 55 and therefore incorporate the respective limitations thereof. Accordingly, the dependent claims are also not anticipated by Garcia because of the reasons above directed to the independent claims. Applicants respectfully request withdrawal of these rejections.

### CONCLUSION

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

### PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action dated November 24, 2009, Applicants respectfully petition the Commissioner for a two (2) month extension of time, extending the period for response to April 24, 2010. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$245.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) small entity.

Respectfully submitted,

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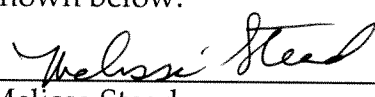
Dated: 4/14 2010

  
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Melissa Stead

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